

DECLARATION OF ARI NOVAK

I, Ari Novak, under penalties of perjury, declare and state the following in support of the Complaint filed on my behalf in the above-captioned matter:

1. I am a resident of Bozeman, Montana.
2. I was a professional ice climber and filmmaker who has produced and directed numerous feature films and documentaries about climbing. I have also regularly been an instructor at the Michigan Ice Festival and Ouray Ice Festival.
3. I first met Manoah Ainuu approximately seven years ago while he was working at REI in Bozeman, Montana. I developed a friendship with him, and he became my climbing partner.
4. In 2019, I began leasing my basement apartment to him. I enjoyed my friendship with Manoah, who was friendly, pleasant, and humble for the first years of our friendship.
5. In 2019, around the time he started as a sponsored athlete with North Face and worked on filming for Black Ice, I started to notice gradual changes in his personality. Specifically, he became very obsessed with race, something I had not seen before.
6. At some point during this time, I asked Manoah for his rent, which was late. He responded to my request by stating that my request for his overdue rent was a sign that I thought he was lazy because he was black.
7. I frequently would witness similar aggression from Manoah in his conversations with others. Friendly conversations would turn hostile without

warning, and Manoah seemed to be looking for reasons to accuse people of saying racist things.

8. I witnessed a similar confrontation in which another individual suggested that he could beat Manoah in a ski race. Manoah reacted to this competitive challenge by accusing the individual of being racist, grabbing a brick out of the wall as if to assault his challenger, leading other individuals to grab the brick from Manoah's hand, in order to prevent violence.

9. Shortly after the COVID-19 lockdowns began, Manoah had been to a wedding and walked through my living room to get to his apartment after returning. Conscious of social distancing, I politely asked Manoah if he could access the basement apartment he was leasing directly from the external door during this time. Once again, Manoah claimed that what I said was racist.

10. It got to the point where conversing with Manoah was like walking on eggshells – the most innocuous comment having nothing to do with race, would be considered racist or a “microaggression.”

11. Eventually, Manoah stopped leasing my basement apartment in April of 2020.

12. In February of 2020, I invited Manoah to come to the Michigan Ice Festival, where I teach. While I was speaking, Manoah showed up under the influence of alcohol. Despite his condition, he wanted to go night climbing and take my 16-year-old student with him. I had to pull her out of Manoah's car to prevent her from going and putting herself in an extremely dangerous situation. Once again, Manoah

accused me of racism. I informed Dave Burleson, the Global Senior Athlete Coordinator for North Face, about the situation but there does not appear to have been any corrective action taken regarding Manoah's behavior.

13. Manoah is not the only athlete that has used the position and influence gained from being a North Face climber to create press "buzz" over invented claims of racism.

14. In 2019, I directed a film called *Himalyan Ice: Adventures in India's Most Remote Valley*. The film documented the Piti Dharr ice climbing festival and the exploration of remote valleys in the Indian Himalayas with myself, fellow La Sportiva climber Karsten Delap, and local climber Karn Kowshik.

15. On April 29, 2020, North Face-sponsored skier Vasu Sojitra took to Instagram to begin campaigning against the movie, labeling it as emblematic of "white saviour complex, white complacency and indigenous erasure." Vasu compared the film and its treatment of Indians to Christopher Columbus and the European Colonization of America. In the following days, Vasu continued his attacks and broadened them to La Sportiva, posting "@lasportivana you're the main culprits of this. Given these are both your athletes and you're the title sponsor." When La Sportiva solicited questions about the movie on Instagram, posting, "Who's got a question for Karsten or Ari about the film or ice climbing?" Vasu replied "How much do you know about the white saviour complex and its negative impacts on the film?" Vasu continued this behavior for days, harassing and taunting

Karsten and I, as well as our sponsor (La Sportiva), by accusing us of racism and of causing him “trauma.”

16. Vasu then broadened the campaign to include Petzl, one of Karsten’s sponsors. He threatened to start a campaign to boycott Petzl, in which he would encourage people from communities of color to stop buying gear from the company unless the movie was pulled from all its marketing platforms.

17. Not only were Vasu’s attacks damaging to myself, Karsten, Petzl, and La Sportiva, but also to Karn Kowshik, an Indian alpinist and co-founder of the Piti Dharr festival. Kowshik has stated that he greatly enjoyed working on the film and that Vasu’s actions had hurt the community.

18. Kowshik further stated to Outdoor Journal: “By doing what he did, he robs us of our voice and our agency. We have problems and we’re aware of them and we have our own strategies to combat them and take them on. Whether they’ve worked or not so far, they are our strategies. So where we want to go, what we want to do, that’s our call to take and not his. Another concern is that many of the facts he states are not true. He starts by saying the film didn’t show what really happened. That’s not true. What happened was a wonderful experience and the film aims to show that. In fact, on his post in the La Sportiva page he asks why I was left out of the film. That’s not true—I have more screen time than both Ari and Karsten combined. So, that’s a fact. It’s also a fact that in the opening credits of the film, it says ‘featuring Karn Kowshik, Prerna Dangi, Bharat Bhushan’. So it doesn’t place us in the background but talks about us as featured climbers. It shows Prerna’s

climbing, it shows Bharat's climbing journey. It's not accurate to say that we didn't get enough time."

19. Ultimately, Kowshik and the two other founders of the festival – Bharat Bhusan and Prerna Dani – were so disturbed by Vasu's actions, that all three sent a letter complaining to North Face.

20. Despite the known actions of Vasu and Manoah that devastate lives, North Face not only refuses to hold them accountable, but it encourages this behavior by allowing them free reign to wreak such devastation.

Dated this 27 day of September, 2023, in Bozeman, Montana.

Ari Novak
ARI NOVAK